REMARKS

Applicant thanks Examiner Lee for the courtesy of a phone conference on November 5, 2009. The differences between the Applicant's Admitted Prior Art ("AAPA") and the Independent Claims, such as Independent Claim 26 were discussed. The Examiner agreed that the Independent Claims as they stand, without amendment, did overcome the AAPA and that the current rejections would be withdrawn. The Examiner indicated that if a subsequent Office Action was necessary, it would be non-final.

Applicant has not amended the Claims in response to the Office Action.

The present invention stores in the memory either a decoded picture before the filtering process or the decoded picture after the filing process, based on the filtering application information. The filtering application information indicates, which one of the decoded picture before the filtering process ("decoded pictures") or the decoded picture after the filtering process ("filtered pictures") is outputted for a display. Thus, the present invention allows the selection between pictures with film grains, and pictures without film grains in order to improve bitstream coding efficiency and also the quality of the film output. (Pg. 27, ln. 29 – Pg. 28, ln. 7)

The Office Action rejected Claims 26 – 28, and 32 – 34 as being anticipated under 35 U.S.C. § 102 by Applicant's Admitted Prior Art ("AAPA"). Claims 29 – 31 were previously cancelled.

> [T]he dispositive question regarding anticipation is whether one skilled in the art would reasonably understand or infer from the prior art reference's teaching that every claim [limitation] was disclosed in that single reference.

Dayco Prods., Inc. v. Total Containment, Inc., F.3d 1358, 1368 (Fed. Cir. 2003).

AAPA does not teach or suggest

> [E]xtracting, using a demultiplexing unit, filtering application information from the bitstream, the filtering application

information indicating, on a picture-by-picture basis, which one of the decoded picture and the filtered pictures is outputted for a display process.

The Office Action on Page 3 cites to the selection information as the filtering application information. However, the selection information merely selects between either the inter-picture prediction unit or the intra-picture prediction unit. For example, in the coding apparatus as shown in FIG. 17, the selection information is a signal indicating which of the inter-coding or intra-coding has been performed and is sent to the quantization unit. In the decoding apparatus as shown in FIG. 23, the selection information is used in the switching for inter or intra-coding. Thus, the selection information does not determine whether a decoded picture which is unfiltered or a decoded picture which is filtered, is stored in the memory.

In contrast, in the present invention, the filter application information determines whether the switch 114 outputs an unfiltered picture or a filtered picture depending on the filter application information. (Pg. 27, lns. 16 – 19) The filter application information is presented by a number indicating which picture to be outputted, either filtered or unfiltered. For examples, the numbers 1 – 5 can be used in one embodiment. The number ") can mean that the unfiltered pictures out of all the pictures in the stream are outputted. The number "1" can mean that the filtered pictures out of all the pictures in the stream are output. The number "2" can mean to output the unfiltered pictures out of the pictures specified by the filter application information. The number "4" can mean to output the unfiltered pictures out of the pictures following the picture specified by the filter application information. The number "5" can mean to output the filtered pictures out of the pictures following the picture specified by the filter application information. (Pg. 28, lns. 14 – 29)

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Furthermore, as seen in FIG. 9, the filter application information affects the operation of the switch 114, whereas the selection information affects the operation of the switch 104. Thus, in the present invention, the filter application information is different from the selection information.

In addition, AAPA does not teach or suggest

> [S]toring, in a memory, the filtered picture as a reference picture for decoding another picture, using a storing unit, and outputting the decoded picture, using an outputting unit, in the case where the filtered picture is the reference picture and the filtering application information indicates the decoded picture is outputted for the display process.

The AAPA does not disclose storing either the filtered or unfiltered picture based on the filtered application information. As previously noted, the AAPA does not use the filtered application information. The selection information is not the filtered application information and instead only indicates whether a picture is inter-coded or intra-coded.

All arguments for patentability with respect to Claim 26 are repeated and incorporated herein for 32. For example, AAPA does not teach or suggest

> [A] demultiplexing unit operable to extract filtering application information from the bitstream, the filtering application information indicating, on a picture-by-picture basis, which one of the decoded picture and the filtered picture is outputted for a display process.

and

> [A]n outputting unit operable to output the decoded picture, in the case where the filtered picture is the reference picture and the filtering application information indicates the decoded picture is outputted for the display process.

As previously noted, AAPA does not use the filtering application information, nor does it teach which images to store or output based on the filtering application information.

Dependent Claims 27, 28, 33 and 34 depend from and further define Independent Claims 26 and 32, and are thus allowable, too.

Accordingly, it is believed that the present case is in condition for allowance and an early notification of the same is requested.

If the Examiner believes a telephone interview will further the prosecution of this case, the undersigned attorney can be contacted at the listed phone number.

Very truly yours,

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